

**Commissioner Meeting  
December 2, 2013**

**Present:** David Gogel, Al Logsdon, Mickey Toler, Chuck Painter, Tara Lloyd, Auditor Jane Lynam

**Absent:** Attorney Jeff Lindsey

Meeting was called to order by President David Gogel at 8:15 A.M.

**Kelly Corne-Therapy Dog**

Corne explained that the dog they now have in the office will be used for a therapy dog for abused children. After the training the child will be able to control the dog; dog will become the child's friend, trying to make the child as comfortable as possible. The complete training program will take a total of 1 ½ years.

This is a program that is being used nationwide. Indiana has taken quite an interest in this program to the point that they have a program in one of the Indiana State Women's Prisons where they train the dogs. We will be the fourth county in Indiana to have this program.

Logsdon said the main concern was the liability for the county if the dog should bite someone. Corne said the dog actually belongs to her and she has him covered under her personal insurance policy for \$300,000. Logsdon asked Chris Middleton, County Insurance Agent, if it was possible to cover the animal before it's certified. Middleton explained that the county has two service dogs, actually Class D Officers, which the county owns, they were added as soon as they were certified, because they are property of, actually employees of the county. We have a dollar amount on each one and a description of their services. You have to be insured for \$5,000,000 because this is your exposure cap in Indiana. Middleton said she wasn't sure if the county could add the dog on their insurance, when it belongs to someone other than the county. Logsdon then asked what we would have to do to protect ourselves from a liability standpoint. Middleton said as long as we have the certification, they go with the training, they trust the training as they do with the drug enforcement dogs. Although the dog probably can't be covered by the county until it has received the certification, we will need some figure of what the dog is worth for insurance purposes. Corne said she had about \$1,500 in the dog; the training will be an additional \$500 to \$1,000. Since she owns the dog they could probably do something like a lease agreement between her and the county. Logsdon said his main concern is the liability aspect; he felt it was a very good program as did the other Commissioners, but we have to protect the county.

Middleton said you are clearly making an exception here, so that other employees know what's going on we need to clarify what the intent of the dog is. Logsdon said he felt the Commissioners should wait until they get further clarification on the insurance, at the next meeting, before they make a decision on whether the dog can stay in a county office prior to receiving his training and certification.

**Jane Stout-Interlocal Agreement**

Stout explained that the Ambulance Service has already broken their interlocal agreement, and asked that the Commissioners do the same. She explained that the county in question has been taking advantage of Spencer County. Stout then explained that we are not cutting ambulance service off to them, we are still providing ambulance service, we will just not be traveling up and down the road to stand by at the county line. In the case that we only have one ambulance in the county, we take care of our county first.

Logsdon made a motion to terminate the interlocal agreement with Perry County Memorial Hospital Trustees. Toler seconded the motion, motion approved.

**Scott Meadors-Generator Problem**

Meadors said it had brought to his attention that 2 weeks ago the generator in Chrisney wouldn't start. Gudorf's have been there and found out that the printer board and the main transfer switch are fried, the generator will run, but the board that communicates back and forth also got fried. Not sure what happened or how, but the cost for just the switch is \$2,500 and



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then you still have to have it wired.

Carter Fire has a generator in a box that has never been used; so if the Commissioners want it, Carter Fire has agreed to let them have it. Commissioners agreed to have Meadors go ahead and have the generator from Carter Fire installed at Chrisney and pay for the wiring from Radio Tower Repair and Preventive Maintenance that is in the Commissioners budget.

Since EMA originally purchased the generator, Stephanie Melton asked if the Commissioners could help purchase the FIT machine if all the Fire Departments couldn't come up with their share, if these people aren't FIT tested they will not be eligible for training. Melton explained that the machine they needed was \$9,283.62, they have \$2,000 from LEPC, \$1,000 from Community Foundation and \$2,000 from FEMA money they hadn't been used. If each department makes the \$475.95 contribution we won't need any additional money, but some of them may not be able to do that. Logsdon suggested talking with the Sheriff's Department and see if they could help purchase the FIT machine let them know the Commissioners had made that suggestion and we will work from there.

Logsdon said since we have been discussing liability, who would be responsible if someone would die while fighting a fire, would it be the county. Meadors said that responsibility falls on the fire department and the fire chief; whoever is in command. Logsdon said he felt we should have Attorney Lindsey look into that and see if the county could in any way be liable.

Meadors also wanted to let the Commissioners know that the interference they have been having has tapered off some, but all the Fire Chiefs have agreed to file a complaint with the FCC.

#### **Minutes**

Toler made a motion to approve the minutes from November 19<sup>th</sup> as presented. Logsdon seconded the motion, motion approved.

#### **Claims**

Toler made a motion to approve Batch # 2902 in the amount of \$581,527.80. Logsdon seconded the motion, motion approved.

Toler made a motion to approve Batch #2897 in the amount of \$414,151.82 Logsdon seconded the motion, motion approved.

#### **Highway Report**

Painter said they have 3 spreader beds that we will need to replace next year. He felt that he could get through this year, but they definitely need to be replaced. Logsdon asked Painter if he had checked on the problem on County Road s 850 and 525. Painter said he hadn't been down there recently, but he was aware of the problems. Gogel said we have Lindsey's report and he has set out his findings. Logsdon said bullet point #8 says the rest of CR 875, other than what was vacated in 1981, that now belongs to Haynes, is public right-of-way, even though it is not on the County Highway inventory.

Gogel said we need to be sure the Sheriff's Department has a copy of the findings and direct Lindsey to send letters to adjoining land owners to inform them.

Logsdon made a motion that since we have received a professional legal report from Attorney Lindsey we direct him to send a copy of the report by way of registered mail to each land owner on County Roads 525, 875 and 450. Toler seconded the motion, motion approved.

#### **Engineer Report**

Lloyd said a company from Michigan was coming into the area to do vibratory rolling looking for oil and gas pockets. When he found out what the bonding requirements were and the cost he was upset because he said he wouldn't be making any money. So Lloyd asked the Commissioners if they thought our requirements were too stringent. Logsdon said he felt that we have a policy in place and it was his responsibility to check on that before he bid the job so he will just have to live with it. Lloyd said then we will just follow those requirements the same as we do for everyone else.

Gogel said we needed to do a second reading on Ordinance # 2013-12 Residential Storm Drain Culvert and Enclosures. Toler made a motion to approve Ordinance # 2013-12 Residential Storm Drain Culvert and Enclosures on the second reading. Logsdon seconded the motion, motion

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approved.

Logsdon gave a short report on the Indiana Primary Care Health Association meeting that he attended.

Logsdon then said he had spent a lot of time trying to learn something about Confined Feeding Operations. He has visited the site in Luce Township and didn't think there would be any problems. He has been in touch with the Environmental Management Director, Kirchner for Western Kentucky and Mr. Thomas, Water Control Specialist, for Western Kentucky and their aquifer is protected by sandstone. Thomas explained that they have major turkey operations there and have never had one report of a water source being contaminated by runoff of stored or applied manure.

Toler said all wells for the city of Rockport have to, by IDEM law, provide readings every month, and they are checked for nitrates, copper, everything.

Logsdon said that he had spoken to Dr. Brad Jerne from Purdue and he volunteered, if necessary to come down and share his data with the concerned citizens. Jerne explained that Indiana's requirements for protecting the environment are the most stringent in the United States.

Logsdon said I don't know where we go from here, but I feel it is our job to learn as much as we can.

Toler made a motion to adjourn. Logsdon seconded the motion, motion approved.

Meeting was adjourned at 10:46 A.M.

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President

Attest:

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Auditor, Jane Lynam